

**REGULAR MEETING OF CASS COUNTY BOARD OF COMMISSIONERS
FEBRUARY 16, 2016 (TUESDAY)**

1. MEETING CALLED TO ORDER

Chairwoman Mary Scherling called the meeting to order at 3:30 PM with all members present as follows: Ken Pawluk, Arland H. Rasmussen, Chad M. Peterson and Mary Scherling. Rick Steen was present via conference call.

2. PLEDGE OF ALLEGIANCE

Heather Worden led the Pledge of Allegiance.

3. MINUTES APPROVED

MOTION, passed

Mr. Rasmussen moved and Mr. Peterson seconded that the minutes of the previous meeting be approved as written. Motion carried.

4. AGENDA, Order approved

MOTION, passed

Mr. Pawluk moved and Mr. Peterson seconded to approve the order of the agenda with the addition of a resolution of condolence to the consent agenda and election advertising proposal to the regular agenda. Motion carried.

5. CONSENT AGENDA APPROVED

MOTION, passed

Mr. Pawluk moved and Mr. Peterson seconded to approve the consent agenda as follows: On roll call vote, the motion carried unanimously.

- a. Receive financial statement from the Auditor's Office for the month ended January 31, 2016.
- b. Receive and file Indemnity Bonds on Lost Instrument for the Cass County Jail and Craig Steven Hurner; and authorize the county auditor and county treasurer to issue duplicate checks.
- c. Approve a special event permit for Bar Nine to serve alcoholic beverages on February 20, 2016, during the hours of 6:00 PM to 1:00 AM for a bridal shower to be held at Bonanzaville, U.S.A. in West Fargo, North Dakota; and a special event permit for RAWC, Inc. d/b/a Rookies Sports Bar and Grill to serve alcoholic beverages on March 18, 2016, during the hours of 5:00 PM to 11:00 PM for a Riding on Angel's Wings Mixed Stag fundraiser to be held at the Red River Valley Fairgrounds in West Fargo, North Dakota.
- d. Approve the checking account transactions for property purchases and related expenses in January 2016 for the FEMA Flood Buyout grant program.
- e. Adopt a Resolution of Condolence to the family of Fargo Police Officer Jason Moszer as follows:

**RESOLUTION OF CONDOLENCE
#2016-2**

WHEREAS, the Board of Cass County Commissioners has learned of the untimely death of Fargo Police Officer Jason Moszer; and

WHEREAS, Jason Moszer served with the Fargo Police Department for the past six years providing dedicated service to the citizens of Fargo;

WHEREAS, Jason Moszer was also a war veteran who served eight years with the Minnesota Army National Guard and was deployed to Bosnia and Iraq;

THEREFORE, BE IT RESOLVED, that the Board of Cass County Commissioners does hereby express its heartfelt condolences to the family of Jason Moszer.

BE IT FURTHER RESOLVED that this resolution will be inscribed upon the permanent records of the proceedings of the Board of Cass County Commissioners and a copy forwarded to his family.

Dated at Fargo, North Dakota, this 16th day of February, 2016.

6. FLOOD CONTROL, State Water Commission reimbursement request for FM Diversion approved

During the last three legislative sessions, the state legislature approved a total of \$175 million to be spent on flood control costs. Michael Montplaisir, County Auditor, said for consideration today is the 23rd request from the FM Diversion Authority. The costs are for residential relocation assistance for homeowners displaced by in-town levee and OHB levee projects; commercial relocation assistance for the Oxbow Country Club and Sidestreet Grille & Pub; 4th Street and 2nd Street North pump station projects; 2nd Street North floodwall project; Park East Apartments demolition; and utility relocations for in-town levee projects.

MOTION, passed

Mr. Pawluk moved and Mr. Peterson seconded to authorize the chair to sign reimbursement request #23 in the amount of \$1,985,040 to the State Water Commission to distribute funds to the FM Diversion according to the terms and conditions of Senate Bill 2020. On roll call vote, the motion carried unanimously.

7. FLOOD DIVERSION MONTHLY BILLING

Mr. Montplaisir discussed the monthly billings for the FM Diversion Board of Authority for December 2015 (Period 13) and January 2016 which includes costs for engineering services, construction management services, relocation assistance and legal services. The costs will be paid from the U.S. Bank loan taken out by the City of Fargo, which has approximately \$10 million remaining from the \$50 million loan.

MOTION, passed

Mr. Pawluk moved and Mr. Rasmussen seconded to approve the December 2015 (Period 13) and January 2016 billings for the FM Diversion with the total cost to be paid from the loan taken out by the City of Fargo. On roll call vote, the motion carried unanimously.

8. ELECTION EDUCATION, Proposal for advertising services approved

Mr. Montplaisir said over the last two legislative sessions, changes have been made to state laws regarding voter identification (ID). The presidential election will be held this year, and he expects record voter turnout. He is requesting a proposal with Kelner Communications be approved for advertising services. The Sheriff's Office has used this agency in the past.

DeAnn Buckhouse, Election Coordinator, said Forum Communications has agreed to partner with Kelner Communications on an ad campaign. The county has a budget of around \$20,000 using funds from the office and elections budget. Forum Communications will provide a 100% match for a total of \$40,000 worth of advertising through television, radio, *The Forum* newspaper and *InForum* online newspaper. Also, the Sheriff's Office has a reserved spot once per week on an electronic billboard and is willing to let the Auditor's Office use the billboard for four weeks prior to both the Primary and General Elections.

Mrs. Scherling asked if any state grants or funds are available. Mr. Montplaisir said no programs are being offered by the Secretary of State this election cycle. He said the state spent around \$300,000 two years ago on an educational campaign regarding voter ID requirements. Mr. Peterson has some concerns with spending county dollars on policies created by the government.

Mr. Pawluk understands the importance of educating the public and supports the request.

MOTION, passed

Mr. Pawluk moved and Mr. Rasmussen seconded to authorize the chair to sign a proposal with Kelner Communications for advertising services for the 2016 election cycle. Discussion: Mr. Rasmussen asked about additional efforts to help spread the word to NDSU students. Mrs. Buckhouse will reach out to the NDSU student government as she did two years ago to disperse information on voter ID requirements. The proposal from Kelner Communications includes Option 1 for \$20,117.20. Mr. Peterson questioned whether Option 2 for \$508.54 to advertise in *The Spectrum*, which is NDSU's newspaper, will be done. Mrs. Buckhouse said the county plans to advertise in *The Spectrum*, which has been done in the past and has been beneficial. On roll call vote, the motion carried unanimously.

9. VOUCHERS, Approved

MOTION, passed

Mr. Steen moved and Mr. Peterson seconded to approve Voucher No. 291,145 through Voucher No. 291,470. On roll call vote, the motion carried unanimously.

Mr. Pawluk left the meeting at 3:56 PM.

10. MEETING UPDATES; NACo LEADERSHIP SCHOOL; MOSZER FAMILY FUND, Committee reports

Mr. Berndt and Mr. Montplaisir will attend the National Association of Counties (NACo) Legislative Conference on February 19-23 in Washington, D.C. Mr. Rasmussen will attend the Lake Agassiz Regional Council meeting on February 17th.

Mr. Peterson will attend the NACo Leadership School in June.

Mr. Montplaisir said Cass County employees are donating toward a fund set up for the family of fallen Police Officer Jason Moszer. As of today, \$1,500 has been raised.

11. CORRESPONDENCE, Received and filed

MOTION, passed

Mr. Peterson moved and Mr. Rasmussen seconded to receive and file correspondence outlined by the secretary as follows: Motion carried.

- Letter from Apex Engineering Group requesting comments on any environmental concerns with a proposed road improvement project on 32nd Avenue South from 42nd Street to 32nd Street South in Fargo (copy referred to county engineer);
- Letter from Houston Engineering, Inc. requesting comments on any environmental concerns with a proposed flood protection improvement project at Drain 27 from 36th Street to 38th Street SW in Fargo (copy referred to county engineer);
- Letter from the North Dakota Highway Patrol regarding spring load restrictions and availability to assist the county with weight enforcement on county roads (copy referred to county engineer and county sheriff);

- Letter from the North Dakota Insurance Reserve Fund (NDIRF) regarding a record high volume of incurred claim loss for 2015, which will drastically reduce the conferment of benefits paid to fund members in 2016.

12. ADJOURNMENT

MOTION, passed

On motion by Mr. Peterson, seconded by Mr. Rasmussen and all in favor, the meeting was adjourned at 4:02 PM.

ATTEST:

APPROVED:

Michael Montplaisir – Auditor
Cass County, North Dakota

Mary Scherling, Chairwoman
Cass County Board of Commissioners